

## BEFORE THE BOARD OF CHIROPRACTIC PHYSICIANS

### STATE OF IDAHO

In the Matter of the License of:

VERL BRENT BELL, D.C.,  
License No. CHIA-1103,

Respondent.

Case No. CHI-2008-5

#### **FINAL ORDER**

THIS MATTER came before the Idaho State Board of Chiropractic Physicians on September 24, 2008, for a mitigation hearing pursuant to a Stipulation and Notice of Mitigation Hearing between the parties dated, August 18, 2008; said document is hereby incorporated herein by this reference. The State appeared by its attorney of record, Karl T. Klein, Idaho Deputy Attorney General. Respondent, Verl Brent Bell, appeared and represented his own interests. The State and the Respondent both provided argument for the Board's consideration, and good cause appearing therefore, the Board unanimously adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. That on or about October 13, 2006, Respondent plead guilty and was convicted of Manufacturing a Controlled Substance, a felony, in *United States v. Bell*, United States District Court for the District of Nevada, Case No. 04-CR-0213. As a result, Respondent was sentenced to nine (9) months in federal prison, placed on felon probation following completion of his prison sentence for the subsequent five (5) years, and fined \$2,000.00. This violation constitutes grounds for disciplinary action pursuant to Idaho Code Section 54-717(1) (Board may discipline a licensee who "[h]as been convicted, found guilty, received a withheld judgment or suspended sentence in this or any other state of a felony").

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2. Respondent's conduct involved knowingly allowing the use of his real property for the cultivation of a substantial number of marijuana plants. The Board believes this conduct is a significant violation of the Respondent's professional responsibilities to the public and this conduct cannot be tolerated or condoned. The Board therefore imposes the following disciplinary sanctions upon Respondent:

a. That Respondent's license shall be suspended on the date of this Order and shall continue until he has completed all five (5) years of his federal felony probationary period.

b. That prior to reinstatement of his license, Respondent shall submit to the Board a letter from his probationary officer or his sentencing judge establishing Respondent's compliance and satisfaction of all terms of his criminal probation.

c. That prior to reinstatement of his license, Respondent shall pay a fine in the amount of Two Thousand Dollars (\$2,000.00) to the Board.

d. That Respondent shall pay the costs and fees incurred in the investigation and prosecution of this matter. The State shall, within thirty (30) days from the date of this Order, submit an affidavit of the costs and fees incurred and serve said affidavit upon Respondent. Respondent shall then have fourteen (14) days to object to any costs and fees as unreasonable and request a hearing before the Board. Thereafter, the Board shall determine the amount of costs and fees awarded against Respondent, and in the event Respondent does not object to the fees and costs requested, Respondent shall pay the amount set forth in the affidavit.

e. That prior to reinstatement of his license, Respondent shall participate in a psychological evaluation at his own expense, and provide said evaluation to the Board.

f. That prior to reinstatement of his license, Respondent shall participate in a Board approved substance abuse program, at his own expense, and provide the Board with a certificate of completion/graduation from said program.

g. That prior to reinstatement of his license, Respondent shall take the NBCE Ethics examination, and provide the Board with evidence of a passing score.

h. That after the time has run on the suspension of Respondent's license, but prior to reinstatement of said license, Respondent shall meet with the Board and take such additional education courses as the Board may deem appropriate.

3. This is the Final Order of the Board.

a. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (*See*, Idaho Code Section 67-5247(4)).

b. Pursuant to Idaho Code Sections 67-5270 and 57-5272, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

c. An appeal must be taken within twenty-eight (28) days: (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is

later. (See, Idaho Code Section 67-5273.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

4. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 7<sup>th</sup> day of October, 2008.

STATE BOARD OF CHIROPRACTIC PHYSICIANS

By Shannon Gaertner-Ewing  
Shannon Gaertner-Ewing, Chair

**CERTIFICATE OF SERVICE**

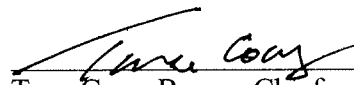
I HEREBY CERTIFY that on the 9<sup>th</sup> day of October, 2008, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

Karl Klein  
Deputy Attorney General  
Office of the Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010

☒ Statehouse Mail  
☐ U.S. Mail  
☐ Hand Delivered  
☐ Fax Transmission

Verl Brent Bell, D. C.  
3835 N. Kilberry Ave.  
Meridian, ID 83646

☒ U.S. Mail  
☐ Hand Delivered  
☐ Federal Express  
☒ Certified Mail # 7005 1160 0000 1507 669

  
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Tana Cory, Bureau Chief